

1 Your Name: MAI-TRANG THI NGUYEN
 2 Address: 1669 Hollenbeck Ave, #2 Pobox 198, Sunnyvale, CA
 3 Phone Number: Too poor & mental to have 1 94087
 4 Fax Number: _____
 5 E-mail Address: furlycustomerservice@yahoo.com **FILED**

6 Pro Se Plaintiff

FEB 16 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VKD

11 MAI-TRANG THI NGUYEN

Case Number

[leave blank]

22 00948

13 Plaintiff,

COMPLAINT

14 vs.

15 THE UNITED STATES

DEMAND FOR JURY TRIAL

Yes ☐ No ☒

19 Defendant.

PARTIES

1. Plaintiff. [Write your name, address, and phone number. Add a page for additional plaintiffs.]

23 Name: MAI-TRANG THI NGUYEN

24 Address: 1669 Hollenbeck Ave, #2 Pobox 198, Sunnyvale, CA

25 Telephone: Too poor & mental to have 1. 94087

COMPLAINT

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2. Defendants. [Write each defendant's full name, address, and phone number.]

Defendant 1:

Name:

The United States

Address:

US Attorney Northern District of CA

Telephone:

(415) 436-7200

9th Floor, Federal Building

450 Golden Gate Ave

Box 36055

Defendant 2:

Name:

SF, CA 94102-3495

Address:

Telephone:

Defendant 3:

Name:

Address:

Telephone:

JURISDICTION

[Usually only two types of cases can be filed in federal court, cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.]

3. My case belongs in federal court

under federal question jurisdiction because it involves a federal law or right.

[Which federal law or right is involved?]

FTCA (Federal Tort Claims

Act) & Negligence.



under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants and the amount of damages is more than \$75,000.

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VENUE

[The counties in this District are: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, or Sonoma. If one of the venue options below applies to your case, this District Court is the correct place to file your lawsuit. Check the box for each venue option that applies.]

4. Venue is appropriate in this Court because:

- ☐ a substantial part of the events I am suing about happened in this district.
- ☐ a substantial part of the property I am suing about is located in this district.
- ☒ I am suing the U.S. government, federal agency, or federal official in his or her official capacity and I live in this district.
- ☐ at least one defendant is located in this District and any other defendants are located in California.

INTRADISTRICT ASSIGNMENT

[This District has three divisions: (1) San Francisco/Oakland (2) San Jose; and (3) Eureka. First write in the county in which the events you are suing about happened, and then match it to the correct division. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge.]

5. Because this lawsuit arose in Santa Clara or Santa Clara County, it should be assigned to the San Jose Division of this Court.

STATEMENT OF FACTS

[Write a short and simple description of the facts of your case. Include basic details such as where the events happened, when things happened and who was involved. Put each fact into a separate, numbered paragraph, starting with paragraph number 6. Use more pages as needed.]

6. The 2020 United States Presidential Election became the first election in America to occur in a pandemic (COVID-19 or Coronavirus pandemic). This pandemic entered human's history as the first pandemic to stop human's mobility in vehicles, planes, trains, and even on foot. Humans

COMPLAINT

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[Copy this page and insert it where you need additional space.]

worldwide were forced by their governments to be jailed at home while the world roamed the streets, the fish returned to the edges of the water, and the sound of birds conquered the sound of the humans. At first time in the history of America, voters can vote in the comfort of their homes and simply drop their votes into their mail boxes. This new voting system was America's answer for voting during the pandemic to prevent the spread of Covid-19. This new voting system was launched in less than 3 months. All the experts confirmed that this new voting system, launched in this miraculous short time, went successfully with words like "100% secured," "had very little frauds", and "no massive fraud" even though there was no recount-recheck conducted in battleground states or across America.

7. In this ^{law-}suit we are here to analyze if the U.S. government did a proper job in launching its new product (the new voting system that allowed voters to vote by mail) in a short period of time during the pandemic, and if the U.S. government is liable for a letter of apology or ^{*}form of compensation in monetary value. I, Mai-Trang Thi Nguyen (the Plaintiff) will point out a new product of the U.S. government, product defects, government's negligence, and FTCA arguments.

1 (NOTE: The Plaintiff respects the United States too much
2 to ask for financial compensation even though she
3 is still a disabled, a human with existing mental-illness
4 anger, a semi-homeless & an unemployed with no savings.
5 She will accept a simple letter of apology; however
6 if the U.S. insists on a financial compensation, she will
7 return it at acceptance.)
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CLAIMS

First Claim

(Name the law or right violated: New Product Negligence)

(Name the defendants who violated it: The United States)

[Explain briefly here what the law is, what each defendant did to violate it, and how you were harmed. You do not need to make legal arguments. You can refer back to your statement of facts.]

8. "Under the law of torts, negligence means a breach of legal duty of care by the defendant which results in undesired damage to the plaintiff," according to the internet on lawlex.org via Bing search engine. The Plaintiff will need to prove the five elements of negligence: ① duty, ② breach of duty, ③ cause in fact, ④ Proximate cause, and ⑤ damages. In this section, Nguyen will enlighten the United States and all voters of a new product that was introduced to the nation during the COVID-19 or Coronavirus pandemic in order to prevent the spread of the virus at the polls: VOTE FOR YOUR PRESIDENT BY MAIL.

9. I, Mai-Trang Thi Nguyen (the Plaintiff) or "Nguyen", would like to stand up and say that I am the only one in America and the world to recognize that the vote-for-your-president-by-mail-election system

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in America in 2020 during the COVID-19 or Coronavirus pandemic was a BRAND NEW PRODUCT launched by the U.S. as an emergency response to prevent the spread of the virus at the voting polls. When something is new, we have to consider it and treat it as a new product, new system, new way, or new thing. EXHIBIT (A), pages 20-23, will explain how this new product (new voting system by mail) works. This lawsuit will explain the extra things we have to do when it comes to launching a new product to make sure the new product works properly.

10. Now that we have established that the new voting system by mail is a new product, let's dwell into its cracks and holes (defects) or new product defects:

A. Dead people could vote; thus this makes my vote as a living person the same as a dead person or dead people have the same equality as a living person. (EXHIBITS (B) and (C), pages 24-26)

B. A voter can cast 4 votes in this 2020 President Election thanks to duplicated voting ballots being sent out by mail under 2 naming conventions combining with casting a 3rd vote without I.D. and a 4th vote with I.D. at the voting polls; thus this makes my vote only 1/4th the value of that lucky voter or that lucky voter is worth 4 times a human

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compared to me. That is not equality - It's ^{MAJOR} inequality!
 (EXHIBITS B and C, pages 24 - 26)

C. As a Trump's voter, I was lied to by the U.S. when it claimed the new voting system worked perfectly almost perfectly with ^{ONLY} a tiny 3-month window to prepare, launch and fix new voting system by mail that no nation has ever dared to implement. No recount - recheck was conducted in razor-thin battleground states in which ballot-by-mail dictated the outcome of the election. VOTES

D. As a Trump's voter, I was forced to accept a product that would automatically hunt Republican-Candidate votes because Democrats tend to vote by mail. NOT equality!
 (Note: No other nation has implemented 2 voting systems, vote by mail and vote at the polls, simultaneously before because voting shouldn't be this EASY for humans to exercise). PURE LAZINESS

E. As a Trump's voter, I was forced to accept that a tiny 3-month window is OK to be used during the most chaotic time in America (Virus killed more people than the Viet Nam War) and during the most contentious state of America (violent people raided our Capitol Hill)

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on 1/6/2021 for the announcement confirming the electoral votes) to launch this new voting system by mail when we all know that this new voting system will be the system that spills out the votes that will help the Democrats. NOT equality at all for ^{it was the} wrong time to launch this product and not enough time to launch this new product.

F. As a Trump's voter, I was forced to accept a product that no democratic nation has dare to launch (vote by mail) along with vote at the polls, especially in short period of time and with no system to cement cracks and holes (product defects) pointed out in this lawsuit.

11. Here I would like to present my negligence claim:

"I, Mai-Trang Thi Nguyen (The Plaintiff), a moderate voter who voted for Trump during the 2020 President Election would like to claim that our United States government committed negligence in launching its new product (vote by mail system) for the 2020 President Election which occurred during the COVID-19 or Coronavirus pandemic which led me to due to release my anger and to correct my government in their mistakes."

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12. There are 5 elements that must be proved in a negligence claim and I intend to prove them in the below:

A. Duty - The U.S. owes a duty of care towards me and its citizens that its new product (the vote by mail system) contains no cracks and holes (product defects) before announcing the final electoral votes of the 2020 President Election. A recount-recheck in battleground states is the only system that can seal the cracks and holes quickly and this system was never conducted.

B. Breach of Duty: The United States failed "to exercise reasonable care in fulfilling a determined duty established as owed results in a breach of duty" (quote from lawsuitlegal.com) when it failed to Fix the door of the cracks and holes. Rules 10 pointed out in which the government was very well informed by the media of these product defects.

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C. Cause in Fact (Causation) - Because the U.S. failed to fix the door of the cracks and holes I pointed out in this lawsuit (negligence in fixing product defects), I, Mai - Trang Thi Nguyen, a Trump's voter, suffer mental illness injury of instant anger, instant feeling of being betrayed,

of being duped

defined as a human being in a democratic society, being ridiculed for questioning the integrity of the new voting system as a poor loser and irrational human and more, which led me to act out irrationally by suing when I have no money, not much intelligence to sue, bad English, disabled with back & neck pain along with arthritis, semi-homeless, and existing - mental - illness. Unlike the mob who raided our poor Capitol Hill, I decided to sue to protest & release my anger.

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D. Proximate Cause - The most direct cause of the harm in question is when the U.S. refused to stop the announcement of the final electoral votes on January 6th, 2021 with all its employees ending with Nancy Pelosi and Mitch McConnell as the top ones to put a lid on it (Mike Pence has no authority to do this; however, he could have walked away and said "I am not physically well today because of all the stress so please have someone do my job today"). We should have stopped the final electoral votes announcement on 1/6/2021 to do a recount - checked on battle ground states to quickly seal the cracks and holes before announcing the new election system worked near perfectly with no massive fraud, contained very little frauds and 100% secured. Then after that you can announce the final electoral votes at Capitol Hill.

E. Damages - This whole mess cost me a lot of money as a semi-homeless person with no job and no savings to sue. It cost me a lot of brain cells for a stupid person. Most importantly, after experiencing Biden's

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in past 1 year
administration's weaknesses, I finally decided
to leave my beloved adopted country forever
to return to my birth country (VIETNAM)
as an ex-refugee. However, I'll leave as
soon as I pay off all my debt to America.
I put down a trillion dollars for this lawsuit
as if a trillion dollars will change my mind
from leaving America forever as its citizen.
In reality, a trillion dollar might be the
cost of compensation for Trump and his
other voters who might sue after this
lawsuit. I don't want any money from America
because America is dead broke.

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Second Claim

(Name the law or right violated: Federal Tort Claim Act (FTCA))

(Name the defendants who violated it: The United States)

13. The website of www.house.gov stated that the U.S. government might be liable for the "negligent or wrongful acts of its employees acting within the scope of their official duties." First, the Plaintiff has to exhaust administrative claims before filing a lawsuit in court. The claim has to be plausible and it has to show there is a private person analogue. The Plaintiff has to prove the claim is not subject to the FTCA's discretionary function exception by passing these two tests: (1) "the conduct cannot be discretionary unless it involves an element of judgment or choice, and (2) "assuming the challenged conduct involves an element of judgment, a court must determine whether that judgment is the kind that the discretionary function exception was designed to shield."

14. Firstly, the Plaintiff (Mai-Trang Thi Nguyen) or "Nguyen" would like to state that she has exhausted administrative claim by waiting for at least 6 months for the house to respond. On March 29th and September 19, 2021, Nguyen sent the form called Claim for Damage, Injury, or Death to the house at the address of 950 Pennsylvania Ave, NW, Washington, DC 20530, but she hasn't received any response.

[Copy this page and insert it where you need additional space.]

Please refer to EXHIBIT (D) ^{on pages 27-28 for} a copy of that form with hand-written indication of dates it was mailed out.

15. Now Nguyen would like to state her plausible claim: "I, Mai-Trang Thi Nguyen (the Plaintiff) suffered immense mental injury which led me to act out unreasonably by suing when I have almost-zero capacity to do so (broke, jobless, semi-homeless, still disabled, and still a person with mental illness, bad-English and kind of stupid), and now formally declaring that I am in the process of relinquishing my American citizenship to go back where most of my DNA dictates (VIETNAM) - All because of the negligence of the United States with all its employees, especially Nancy Pelosi and Mitch McConnell, to vindicate the results of the President Election 2020 which occurred during the COVID-19 or coronavirus pandemic which stopped human's mobility by forcing them to be jailed at home most of the time."

16. Next Nguyen would like to state the private analogue of this FICA claim. The private analogue would be comparing this new voting system

JUST LIKE
 1 of the COVID-19 pandemic to new products/services of
 2 companies (COVID-19 or coronavirus vaccines), building owners
 3 (motels and hotels), and RV owners. I see the new
 4 voting system that allowed all voters in the country to
 5 vote for their president by mail is a new product of
 6 the U.S. Covid-19 or Coronavirus vaccines are the new
 7 products of Pfizer and Moderna. Motels and hotels opened
 8 up their doors to house the homeless during the height
 9 of the pandemic was a combined new product/service
 10 of the government and the building owners. RV owners
 11 rented out their RV's to the government to house the
 12 homeless during the pandemic is the combined new
 13 service/product of the government and owners. If any of
 14 the aforementioned has cracks and holes, owners, companies
 15 and the U.S. can be sued. Just like if there are any
 16 cracks and holes of a new toy, new software & new food
 17 product out in the market, consumers can sue. I
 18 presented the cracks and holes of the new voting system
 19 that I am mostly concerned with: a dead person has
 20 voting power and a voter can cast 4 votes.

21 17. Last but not least, let's discuss if my FTCA
 22 claim is not subject to the FTCA's discretionary
 23 function exception by passing its two pronged test!
 24 If we finally understand that the new voting system was
 25 a new product of the U.S. during the pandemic, then

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we will see that there ~~was~~ zero room to make any personal choice (discretion) or professional opinion protected from lawsuits (discretion designed to be shield). This would mean Nancy Pelosi & Mitch McConnell had no choice but to follow the tort laws to instruct an automatic recount - recheck in battleground states where the results were razor-thin before announcing the final electoral votes on January 6th, 2021 at Capital Hill. I am shocked that our Supreme Court judges remained silent throughout this process, because in thousands of lawsuits they have been lecturing and imposing fines on corporations & owners on new products, new product defects and negligence. Because there was no recount - recheck for this new voting system we blatantly allowed this new product to be launched & functioned with obvious cracks and holes (defects). The COVID-19 or coronavirus vaccines in America had to pass the 3-trial test. This is not Russia where the government OK'd their COVID-19 or coronavirus vaccine after the 2nd trial. We in America have enough money to endure another trial (3rd trial) or the cracks and holes of the new vaccine will kill people and we get sued.

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COMPLAINT

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18. here I would like to provide details on how I was harmed as a Trump's voter in the 2020 President Election which happened to occur in a pandemic which stopped human's mobility for atleast 1 month:

① My value as a living human is not the same as a dead human so it's absolutely wrong for the U.S. government to allow a dead person to vote in its new voting system by mail.

② My value as a voter should be $\frac{1}{4}^{th}$ the power of some lucky voter^{who} was given the power to vote 4 times with your new voting system (twice by mail with duplicate votes assigned to different naming convention of the same person, one more at the poll with ID, and another one with 'no I.D. using another person's name at the poll).

The American democracy promises that everyone would be treated equally; however, this new voting system didn't not treat everyone's equally as pointed out by the crack and hole above which were not sealed before the final electoral votes were announced on January 6th 2022 at the Hill. So I decided to sue to express my anger at the U.S. government to fix the problems and pay for my writing of this lawsuit. However since I love my adopted country, I would return the money to the U.S. if the U.S. insists I should be paid.

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DEMAND FOR RELIEF

[State what you want the Court to do. Depending on your claims, you may ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount, or describe the different kinds of harm caused by the defendant.]

19. The Plaintiff only wants a letter of apology; however, if the US insists on a financial compensation, she will return it upon receiving the money. The Plaintiff's desire is \$1 trillion for her mental injury which led her to see and leave her beloved adopted country (the U.S.A) to return to her birth country, Vietnam — as soon as she pays all of her debts to America. Since \$1 trillion is not a feasible amount she will ask for the cost of writing the suit. (WARNING! if the Plaintiff wins any money from this lawsuit, Trump and Trump voters will turn in their lawsuits to seek \$\$\$ from the U.S.)

DEMAND FOR JURY TRIAL

[Check this box if you want your case to be decided by a jury, instead of a judge, if allowed.]

☐ Plaintiff demands a jury trial on all issues.

ALSO, I AM SUING TO PREVENT
A CIVIL WAR IN AMERICA
IN THE FUTURE.

Respectfully submitted,

Date:

2/11/2012

Sign Name:

Mai-Trang Thi Nguyen

Print Name:

MAI-TRANG THI NGUYEN

(My God is the Sun. Throughout the process of suing the U.S., I prayed to the Sun for guidance)